

FELICIA ANN UNDERDUE,

Plaintiff,

v.

WELLS FARGO BANK, N.A., and
PATEL, KENDRA BROWN, SUSAN
LYBRAND,

Defendants.

Reconsideration, captioned “Opposition to the order Granting Motion to Dismiss on the Grounds of Having Failed to Plead Sufficient Factual Content to Support the Complaint.” (Doc. No. 18).

I. BACKGROUND

On August 13, 2014, this Court issued an Order granting Defendants' Motion to Dismiss and dismissing the case with prejudice. (Doc. 16). Subsequent to that Order, on August 18, 2014, Plaintiff brought this Motion requesting the Court to reconsider its decision. (Doc. 18).

II. STANDARD OF REVIEW

Although the Federal Rules of Civil Procedure do not specifically address motions for reconsideration, they come “in the nature of a motion to alter or amend the prior judgment of the Court under Rule 59(e),” Christian v. Moore, No. 3:13-cv-100-FDW-DSC, 2013 WL 937764, at *1 (W.D.N.C. Mar. 11, 2013), and “are allowed in certain, limited circumstances,” Wiseman v. First Citizens Bank & Trust Co., 215 F.R.D. 507, 509 (W.D.N.C. 2003). The purpose of a motion to reconsider is to present the Court with newly discovered evidence or to correct

manifest errors of law in a prior order. DirecTV, Inc. v. Hart, 366 F. Supp. 2d 315, 317 (E.D.N.C. 2004) (quoting Harsco Corp. v. Zlotnicki, 779 F.2d 906, 909 (3rd Cir. 1985)). “Such problems rarely arise and the motion to reconsider should be equally rare.” Wiseman, 215 F.R.D. at 509 (quoting Above the Belt, Inc. v. Mel Bohannon Roofing, Inc., 99 F.R.D. 99, 101 (E.D. Va. 1983)).


III. DISCUSSION

Upon review of the Defendant’s Motion, the Court finds that the Defendant has not stated good cause for reconsideration of the Court’s Order. Here, Plaintiff fails to adequately present newly discovered evidence or correct manifest errors of law in this Court’s prior Order. A motion to reconsider cannot “merely ask[] the court ‘to rethink what the Court had already thought through—rightly or wrongly.’” DirecTV, Inc., 366 F. Supp. 2d at 317 (quoting Harsco, 779 F.2d at 909). Nor is it proper for the Court to entertain new, unrelated arguments, presented for the first time. Wiseman, 215 F.R.D. at 509. Therefore, Plaintiff’s Motion for Reconsideration is denied.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff’s Motion for Reconsideration, (Doc.18), is **DENIED**.

Signed: October 27, 2014


Robert J. Conrad, Jr.
United States District Judge

